

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

SHIFT4 Corporation, a Nevada  
corporation,

Plaintiff,

v.

CRAIG MARTIN, an Arizona resident,  
PHOENIX PAYMENT SYSTEMS, INC.  
d/b/a ELECTRONIC PAYMENT  
EXCHANGE,

Defendant.

Case No. 2:11-cv-01315-MMD-PAL

ORDER

Before this Court is plaintiff SHIFT4 Corporation's Motion to Dismiss defendant's counterclaim (dkt. no. 8). The Court previously granted plaintiff's motion to amend its complaint (dkt. no. 21). In response to plaintiff's amended complaint, defendant filed an amended answer and counterclaim. (Dkt. nos. 23 and 27.) Plaintiff's motion to dismiss the original counterclaim is rendered moot by defendant's filing of its amended counterclaim.

IT IS THEREFORE ORDERED THAT plaintiff's Motion to Dismiss is DENIED as moot.

DATED THIS 1<sup>st</sup> day of August 2012.

  
UNITED STATES DISTRICT JUDGE